

REMARKS

Claims 1 through 14 are pending in the application. All claims stand rejected under 35 U.S.C. § 102 as being anticipated by *Hoover*. Because *Hoover* fails to disclose each and every limitation of the independent claims, Applicant traverses the rejection.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990); *see also* M.P.E.P. § 2131 *et seq.*

Applying this standard to the rejection applied, the rejection fails. *Hoover* discloses a structure for attaching a mailbox to a post that involves placing the mailbox on a swinging or swiveling arm:

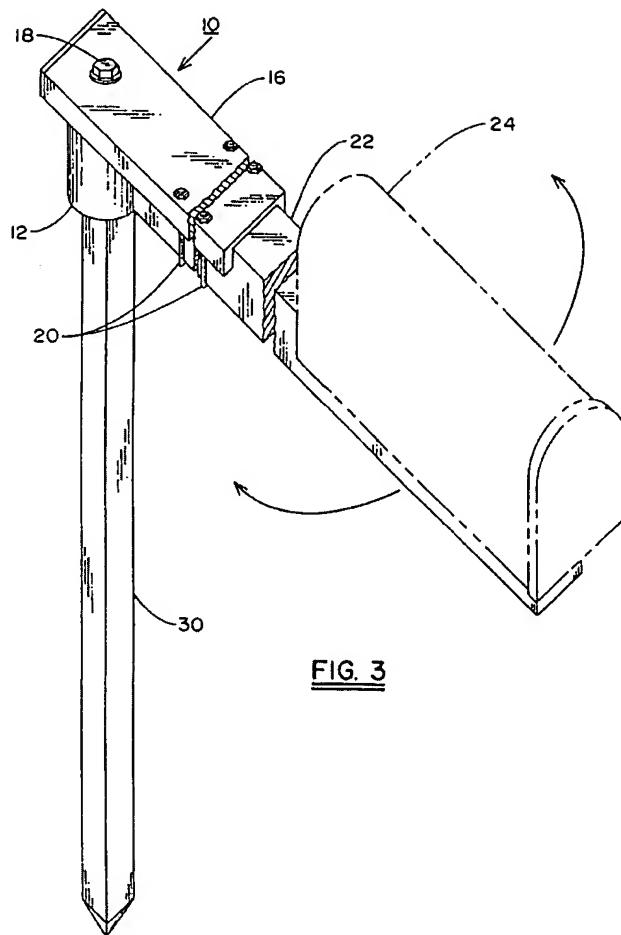


FIG. 3

In *Hoover*, as shown above, the mailbox 24 is secured to a “wooden support beam” (22) by “any conventional means, such as screws or bolts.” Col 3, ll. 29-31 and 45-48. The wooden support beam is, in turn, secured to a “horizontal arm” (16) by a pair of U-bolts (20). Col 3, ll. 28-29 and 45-46.

In contrast, each claim of the present application requires a plate that is generally coextensive with the bottom of the mailbox. Further, each claim requires a sleeve secured to the plate to attach to a supporting post. Neither of these limitations is found in *Hoover*.

There simply is no plate, generally coextensive with the bottom surface of the mailbox, to which the mailbox is secured, as is claimed. *Hoover's* mailbox attaches to a wooden beam. As better shown in Figures 1 and 2, the wooden beam of *Hoover* is both narrower and shorter than the mailbox. Moreover, claim 1 specifies that the plate is "laminar." Conceivably, a wooden beam could be construed as a plate. It cannot reasonably be construed as a laminar plate. In claims 7 and 12, the plate is further specified to have a flange for attachment to a corresponding flange on the mailbox. The wooden beam of *Hoover* has no flange. Neither the laminar plate nor the flange on the plate have corresponding structure in *Hoover*.

Further, each claim of the present invention requires a sleeve secured to the plate and extending downwardly (or secured to the lower surface of the plate). The only structure corresponding to the claimed sleeve in *Hoover* is cylindrical cap (12), which is not secured to any plate in turn secured to the mailbox. Instead, the wooden beam (22) extends horizontally from the cap (12), through intermediate structure (18, 16), and the mailbox is secured directly to the wooden beam. *See generally* Col. 3, ll. 13-52.

Hoover simply does not disclose (nor does it teach or suggest) each and every limitation of the claimed invention. Accordingly, Applicant submits that the rejection may not stand and solicits allowance of all pending claims.

In view of the foregoing, Applicant respectfully submits that all claims are in condition for allowance and respectfully solicits the same.

Applicant has now made an earnest attempt to place this application in condition for allowance, or in better condition for appeal. Therefore, Applicant respectfully requests, for the reasons set forth herein and for other reasons clearly apparent, allowance of all pending claims so that the application may be passed to issue.

If the Examiner has any questions or desires clarification of any sort, or deems that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Applicant believes no fee is due for the filing of this amendment and response. If this is incorrect, the Commissioner is hereby authorized to charge any fee or credit any overpayment to Deposit Account No. 50-2180.

Respectfully submitted,



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